

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
INNER TITE CORP)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	04 40219 FDS
DEWALCH TECHNOLOGIES, INC.)	
)	
Defendant.)	
_____)	

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT OF PATENT CLAIM CONSTRUCTION**

Plaintiff, Inner-Tite Corp. hereby moves for partial summary judgment of patent claim construction pursuant to Fed.R.Civ.P., Rule 56(c).

In support of the present motion, plaintiff also submits the following:

- 1) PLAINTIFF'S MEMORANDUM IN SUPPORT OF PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT OF PATENT
CLAIM CONSTRUCTION,
- 2) PLAINTIFF'S STATEMENT OF UNDISPUTED FACTS, and
- 3) AFFIDAVIT OF WILLIAM E. HILTON WITH ATTACHED EXHIBITS
A - J.


Pursuant to Local Rule 7.1(a), plaintiff has sought but not obtained concurrence of defendant in the relief sought by the present motion.

For the reasons stated in the accompanying documents, plaintiff, Inner - Tite requests that the court grant the present motion for partial summary judgment of patent claim construction.

Respectfully submitted,

Inner Tite Corp.

By Plaintiff's attorneys,

 559515

Dated: February 4, 2005

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the above document was served upon counsel for defendant, Denise W. DeFranco of Foley Hoag LLP, Seaport World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2600 and John Edmonds of Vinson & Elkins, 2300 First City Tower, 1001 Fannin Street, Houston, Texas 77002-6760 on this 4th day of February 2005.


William E. Hilton